

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Frazier et al.
Appl. No. : 10/771,845
Filed : February 4, 2004
For : PATENT FORAMEN OVALE
CLOSURE SYSTEM
Examiner : Melissa K. Ryckman
Group Art Unit : 3773

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**Mail Stop Issue Fee**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant thanks the Examiner for allowance of the application and responds to the reasons for allowance recited in the Notice of Allowance of April 19, 2010. In the Reasons for Allowance accompanying the Notice of Allowability, the Examiner discussed, on p. 2, various features considered by the Examiner to distinguish the art of record.

Applicants assume that, pursuant to M.P.E.P. § 1302.14, the Examiner has stated some, but not all of the reasons for allowance of the claims. As a result, the statements noted above do not necessarily relate to or completely set out all the reasons for allowance of each and every claim. For example, Applicants submit that the claims depending from the independent claims (including Claims 2-7, 11-16, and 48-54) recite additional limitations distinguishing the art of record. Further, Applicants note that the claims are patentable based on the combination of elements recited in those claims and not on any particular feature or features. To the extent that the Reasons for Allowance omit claim elements and explicitly discuss other elements or the Examiner's paraphrasing of the subject matter of the claims deviates from the actual language of the claims, Applicants respectfully note that patentability of each claim is derived

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from the claim as a whole and the reasons for allowance are not limited to the features explicitly discussed by the Examiner.

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 13, 2010 _____ By: /Terry K. Tullis/
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